

VIA FACSIMILE TRANSMISSION - OFFICIAL
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Attorney Docket No. YO995-218


REMARKS

With respect to section 2 of the Official action, Applicant respectfully submits that the present claims are original claims of the parent application of which this is a continuation. A CIP discloses and claims the early subject matter, while here the present inventive entity can only claim subject matter filed Aug. 9, 1996, for which the present inventors clearly recognize their duty to advise of prior art prior to the filing date of August 9, 1996 by their original Declaration. The different inventive entity including inventor Chan could submit a CIP Declaration, since then the claims could be either based on the 9/9/1994 filing date or the 8/9/1996 filing date since the inventive entity would include all the 9/9/1994 inventors.

With respect to section 3, formal drawings are being sent today by certificate of mailing.

With respect to sections 15, 16 and 17 rejecting claims under 35 USC 103(a), it is respectfully submitted with the filing date of the present CPA (subsequent to 11/29/1999), the Chan et al patent 5,550,547 is no longer available under 103(a) in view of 35 USC 103(c). Accordingly, a favorable consideration of the claims now presented is courteously solicited. Evidence of common ownership is enclosed as the third through sixth pages of this transmission.

Respectfully,


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